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LB 1285

PRESIDENT MAURSTAD: Thank you, Senator Bromm. Senator Bromm, it's my understanding that you would like to divide the committee amendments and let me indicate how I believe you would like them divided, and then you can let...let me know. The first part of the divided question, FA301, would begin on page 2, Section 2, and would entail the remainder of the bill. And then the second part of the divided question is FA302, is Section 1 of the committee amendment. Is that correct?

SENATOR BROMM: That's correct, Lieutenant Governor.

PRESIDENT MAURSTAD: And you would like to take up FA301 first?

SENATOR BROMM: Which begins on page 2, that's correct.

PRESIDENT MAURSTAD: Okay, Senator Bromm, you're recognized to open then on FA301. (FA301, Legislative Journal page 856.)

SENATOR BROMM: Okay, thank you very much. Members of the Legislature, we have divided the committee amendment, AM2358, just now into two parts. The first part and the part that we'll be discussing first on the agenda will begin with Section 2, which is on line 15 of page 2 of the amendment, leaving Section 1 for later discussion. Section 2 is the portion of the amendment that changes some wording to extend and change the ability of the Public Service Commission to impose a fine. It changes the standard that the Public Service Commission must find, on page 2 of the committee amendment, down in lines 26 and 27. It says that the commission may, and these are new...these are new words, upon a finding of clear and convincing evidence, assess a penalty of up to, and this then changes five thousand to ten thousand per day for each violation. The rest of the words in that section, beginning on page 3, line 6, makes this fining authority applicable to a commission order entered pursuant to the Interstate (sic--Intrastate) Pay-Call (sic--Pay-Per-Call) Regulation Act, the Telecommunications Universal Service Fund Act, the Telecommunications Relay System Act, and other sections which relate to telecommunications. Very clearly and very simply, up till now the Public Service Commission has had the ability to levy a fine. Let me repeat...let me repeat that, let me repeat that so that we understand that. Before this legislation, the Public Service